

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVERTON STERLING,

: Plaintiff,

: -against-

DEUTSCHE BANK NATIONAL TRUST COMPANY:
AS TRUSTEE FOR FEMIT TRUST 2006-FF6, *et al.*

DECISION AND ORDER

19 Civ. 205 (GBD) (JW)

: Defendants.

GEORGE B. DANIELS, United States District Judge:

Pro se Plaintiff moves for reconsideration, (ECF No. 181), and to vacate as void, (ECF No. 190), this Court's Memorandum Decision and Order dismissing his claims by summary judgment. (ECF. 180)

To prevail on a motion for reconsideration, Plaintiff must identify “an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.*, 729 F.3d 99, 108 (2d Cir. 2013) (quoting *Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd.*, 956 F.2d 1245, 1255 (2d Cir. 1992)). A judgment is void “only if the court that rendered it lacked jurisdiction of the subject matter, or of the parties, or if it acted in a manner inconsistent with due process of law.” *Grace v. Bank Leumi Tr. Co.*, 443 F.3d 180, 193 (2d Cir. 2006) (quoting *Texlon Corp. v. Mfrs. Hanover Commercial Corp.*, 596 F.2d 1092, 1099 (2d Cir. 1979)).

Plaintiff has not met either standard and has failed to articulate any basis for relief. Thus, Plaintiff's motions are DENIED.

The Clerk of Court is directed to close the open motions at ECF Nos. 181 and 190 and this case.

Dated: September 28, 2023
New York, New York

SO ORDERED.


GEORGE B. DANIELS
United States District Judge